

# INFORMATION LETTER

Not for  
Publication

NATIONAL CANNERS ASSOCIATION

For Members  
Only

No. 943

Washington, D. C.

July 17, 1943

## AMENDED M-81 CHANGES CERTAIN PRODUCT QUOTAS

### Tin Increases Granted for Baby Foods, Milk, Prunes, Pumpkins, Squash, Sweet Potatoes, Apples and Applesauce But Canned Fruit Quotas Are Reduced

The War Production Board, through changes made under the terms of Conservation Order M-81, as amended July 17, has made possible an increase in the civilian pack of canned baby foods of approximately 1.5 million cases, and of canned milk, prunes, pumpkins, squash, sweet potatoes, apples, and applesauce by about 5.5 million cases. However, the total 1943 pack of canned foods for civilians will not be any larger, WPB stated in its press release accompanying the text of amended M-81, since these increases are offset by decreases in the pack of some other foods, particularly canned fruits.

In view of the short crops of peaches, apricots, cherries, and some other commodities, the War Food Administration recommended that some of the tin for these products be used for packing baby foods, and other products.

Tin quotas for the short crops are not reduced, but canners generally will not have enough raw food to pack up to the limit of their tin allowances, it was stated. In effect, this "excess" tin will be made available for increasing the production of these other commodities.

WPB stated that the new quotas will provide approximately the following increases over previous quotas: 1.5 million cases of baby foods, including powdered milk formulas; 500,000 cases of prunes; 1.1 million cases of pumpkin and squash; 800,000 cases of sweet potatoes; and 2.7 million cases of apples and applesauce.

Tin quotas are "Unlimited" for the packing of most berries, plums, and Kadota figs, but crop conditions will be a limiting factor, it was stated. Quotas for evaporated milk also were increased, but it is not expected that raw milk production, under present conditions, will permit a significant expansion in output of the processed product.

#### 0.50 Electrolytic Tinplate Specified

The amended order also provides the following changes:

1. Beginning September 30, 1943, can manufacturers are required to use 0.50 electrolytic tinplate in the manufacture of cans for many food products. Among this group are such products as green and wax beans, clams, ground fish, beef, veal, mutton, and pork. Previously, can manufacturers were required to use such tinplate only to the greatest extent available. Heretofore, they could use 1.25 hot dipped tinplate, if 0.50 electrolytic tinplate was unavailable.

2. On the same date, they are required to use 0.75 electrolytic tinplate, instead of 1.25 hot dipped tinplate, in the manufacture of cans for condensed evaporated milk, goats milk, milk formulas, and soybean milk.

3. Effective immediately, they are directed to use 0.50 electrolytic tinplate or chemically treated blackplate to the greatest extent available, instead of 1.25 hot dipped tinplate, for the manufacture of cans for several additional products. Among these are cherries (RSP, frozen only) and soups.

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### WFA AND OPA ANNOUNCE FRUIT PRICING PROGRAM Marketing of Peaches, Pears, Plums And Prunes Covered

The War Food Administration and the Office of Price Administration announced on July 15 a program for the marketing of fruits for canning and freezing for the 1943 season. The program, according to the announcement, is based upon the need for processed foods and the importance of maintaining prices to consumers at reasonable levels. The program, as summarized in a joint WFA-OPA statement follows:

The marketing program on the Pacific Coast will include food distribution orders on pears and cling-stone peaches, designed to limit shipments to fresh channels at approximately last year's level. The administration of these orders will be carried out in the field to insure the flexibility necessary to prevent food wastage.

Ceiling prices will be established by OPA for canned and frozen fruits based upon raw product prices prevailing in 1942, with an exception in the case of

(Concluded on page 7776)

### Army Price Adjustment Board Agrees to Individual Extension Of Time Canners May Have to Furnish Renegotiation Schedules

#### Sample Form for Use in Requesting Postponement Is Provided by Quartermaster Corps

Counsel for the Association has received a letter from General C. L. Corbin, of the Quartermaster Corps, indicating that the Price Adjustment Board will favorably consider requests by canners for an extension of time within which to furnish the various schedules which are requested in connection with renegotiation of government contracts. In a recent communication to the Board, the Association's Committee on Renegotiation of Government Contracts requested that such extension be granted in appropriate cases.

The only procedural difficulty lies in the fact that the Army is required to commence renegotiation within one year after the close of the fiscal year in which the contract with the Govern-

ment was completed. (See INFORMATION LETTER No. 933, May 8, 1943, p. 7647.) In order that any extension of time given to canners for the filing of necessary information will not operate to delay the commencement of renegotiation, the War Department has suggested a form of letter to be used by canners in which the applicant is asked to agree that the one year limitation is waived. In other words, it will be considered that renegotiation has begun on the date that the extension of time to file information is granted.

Text of the letter from General Corbin follows:

"This office is charged with the responsibility for investigating profits of contractors to it in order to determine whether or not excessive profits are being made. To carry out this responsibility it must obtain certain financial

and statistical data from each contractor.

"It is realized that, like all industry, the canning industry is suffering from a shortage of accounting personnel which is needed for compliance with requests for such data. Further, it is recognized that such personnel shortages are most acute during the canning season.

"Desiring to place no unnecessary burden on the members of the industry, this office will give favorable attention to requests of individual canners that they be permitted to delay until after the close of their respective canning seasons the furnishing of financial and statistical data required for purposes of renegotiation.

"Such postponements will be considered under the following conditions. First, they will be granted only upon individual application; a blanket postponement, covering the whole of an area or the membership of a local association, cannot be considered. Second, the applicant must agree that renegotiation has been initiated as of the date postponement is requested. Third, the contractor must name a date upon which he will furnish the desired information, and that date must be one reasonably soon after the close of his canning season.

"Attached is the form of letter which should be written to request postponement. It should be addressed to the office which has requested the data and it must be signed by a responsible officer of the company requesting the postponement.

"It is the understanding of this office that the National Canners Association

publishes a periodical which is sent to its membership. Should the Association so desire, this letter, and the attached sample of a request for postponement may be published therein."

#### Suggested Form

Date.....19...

Quartermaster Price Adjustment District Office.

Gentlemen:

Receipt is acknowledged of your communication requesting information with respect to contracts and subcontracts subject to renegotiation under Section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended. By reason of the fact that this Company and its officers and employees are now so occupied in connection with seasonal activities that a serious burden would be imposed if a prompt reply to this inquiry were required, it is respectfully requested that the Company be granted an extension of time, until .....19.., within which to file the specified information.

It is further acknowledged and agreed that by virtue of this exchange of communications renegotiation proceedings shall be deemed to have been commenced, and the undersigned expressly waives any and all statutory limitations with respect to the commencement of renegotiation under the terms of the above-described renegotiation act.

Very truly yours,

Name of Company Signature.

.....  
Name and Title of Officer signing

#### Basic Fresh Market Price Order

The Office of Price Administration issued, on July 10, Maximum Price Regulation 426, which governs sales, except at retail, of fresh fruits and vegetables for table use. This price order is to the fresh market industry what the basic price order, MPR 306, is to the packers of processed foods. As in the case of MPR 306, it will be followed by a series of amendments dealing with specific products as pricing regulations are drawn for each.

MPR 426 contains Appendix A which establishes maximum prices for lettuce at wholesale, and Appendix B, establishing maximum prices of cabbage at wholesale. Amendment No. 1 to MPR 426, issued July 14, contained Appendix C, establishing maximum prices for sour red cherries for table and home canning use, f.o.b. country shipping point, and Amendment No. 2 to MPR 426 added a paragraph to Appendix C which established at country shipping point and at wholesale, maximum prices for seven types of berries. Details of Amendments 1 and 2 are reported elsewhere in THE LETTER.

#### HOME-USE BERRY PRICES

##### Reduced Ceilings Prescribed by OPA For Table Use, Home Canning

The Office of Price Administration on July 14, established maximum cents-per-pound prices for seven types of berries for table use and home canning. The price levels represent a reduction from current market prices, which OPA states will be reflected at retail.

The pricing action was taken through Amendment No. 2 to Maximum Price Regulation No. 426, for sales of the berries at the country shipping point effective July 13, and for carlot and trucklot sales at any wholesale receiving point, along with less-than-carlot and less-than-trucklot sales to any persons other than ultimate consumers, both effective July 10.

Establishment of the maximum prices for sales to home users should tend to prevent a growing diversion of the berries from canners and other processors, OPA stated. The berries previously had been put under control in sales to processors, but were not controlled in sales for table use and home canning until issuance of the amendment.

The table of maximum prices per pound f.o.b. shipping point on the seven fresh berries follows:

	Cents per pound
Red raspberries .....	18
Black raspberries .....	16
Youngberries .....	15
Boysenberries .....	15
Loganberries .....	15
Blackberries .....	15
Gooseberries .....	11

Cost of transportation is added to the above prices in the case of carlot or trucklot sales at any wholesale receiving point. For sales of the fresh berries by hotel and institutional supply houses, the maximum price shall be the maximum price stated above plus 5 cents per quart, or 3 cents a pint.

Maximum prices for less than carlot or less than trucklot sales to any persons other than ultimate consumers are as follows:

Red raspberries—18¢ per pound plus cost of transportation plus 3¢ per pint or 4¢ per quart.
Black raspberries—16¢ per pound plus cost of transportation plus 3¢ per pint or 4¢ per quart.
Youngberries—15¢ per pound plus cost of transportation plus 4¢ per quart.
Boysenberries—15¢ per pound plus cost of transportation plus 4¢ per quart.
Loganberries—15¢ per pound plus cost of transportation plus 4¢ per quart.
Blackberries—15¢ per pound plus cost of transportation plus 4¢ per quart.
Gooseberries—11¢ per pound plus cost of transportation plus 4¢ per quart.

#### Protests on MPR No. 306

Canners who desire to file a protest to the recently issued Amendment 9 to Maximum Price Regulation 306 must file their protest with the Office of the Secretary, Office of Price Administration, Washington, D. C., on or before September 3, 1943.

Although many of the maximum prices for various items covered by Amendment 9 are identical with those previously issued, the amendment for the first time imposes maximum prices on sales to government agencies and in many instances revises ceiling prices for specific regions or can sizes. It is believed that canners of any of the items covered by this amendment may file a protest thereto, even though their maximum prices on certain products remain the same as those authorized in prior amendments to MPR 306.

For information as to the required form and contents of a protest, canners are referred to the INFORMATION LETTER No. 985 of May 22, 1943, page 7672.

## PRICE FORMULAS ARE SET FOR BEANS AND MACARONI

Regulation Raises Maximums in Order  
So as to Increase Production;  
Glass Jars Available

Formulas by which manufacturers of processed beans, macaroni products and noodle products shall establish their maximum prices under present-day circumstances were announced July 15 by the Office of Price Administration.

The formulas take into account raw material costs and will mean an increase in prices. OPA described this increase as necessary to maintain production. Since the commodities are sold under fixed mark-up at retail, there will be an increase in the price to the ultimate consumer, it was stated.

Beans have not been canned since early in 1942 under a War Production Board conservation order, but a limited amount of glass containers, and the necessary caps with rubber, have now been made available to the processors. Also, some of these packers now are producing frozen and dehydrated processed beans.

Where the processor made and sold processed beans, macaroni products and noodle products at any time during the period of October 1, 1941, and March 31, 1942, he establishes his maximum price by—

Taking the weighted average price per sales unit during the October 1, 1941-March 31, 1942, base period, and adding the increased cost of the raw ingredients. (This is done by deducting the base period cost of the ingredients from the ceiling price as of the effective date of regulation—July 20, 1943—or, where there is no ceiling price the market price of March 1942.)

All maximum prices are originally figured f.o.b. shipping point, but, where a processor regularly sold on a delivered price basis in the base period, he must establish his maximum delivered price by taking his maximum price f.o.b. and adding the amount of the transportation charge which he added to his f.o.b. shipping point charge during the base period. Where he used trucks and now cannot do so because of war conditions, the processor can add transportation charges figured by the new means of transportation.

Where the processor did not produce the commodities during the base period but had a maximum price established under the "most closely comparable" product provision of GMPR, the maximum price shall be established by taking the old maximum and adding the increase in the cost of ingredients, figured as above.

Where the processor has been forced by war conditions to change his container type and size, the now familiar tin-to-glass formula of OPA is applied with the addition of a 2/3-cent per pound label weight of the finished product, this figure representing the increased labor cost involved under the switch-over from tin to glass.

This action was taken through Maximum Price Regulation No. 427, copies of which have been sent out by the Association to canners of the affected products.

### CCC Acceptance Extended

The time for acceptance of the Commodity Credit Corporation's recent offer to purchase and resell tomatoes, corn, snap beans and peas for canning, freezing and brining, has been extended to September 1, it has been announced by the War Food Administration. This is the second extension of time, the first deadline having been set at July 1 and later extended to July 15. WFA officials urge canners not to delay further their presentation of offers.

### Vegetable Pack Statistics

Canned vegetable pack statistics for 1943 have been compiled and published by the Association's Division of Statistics. The publication contains comparisons of the packs of various canned vegetables for several years past.

Copies of the bulletin, "Canned Foods Pack Statistics: 1942 Part I—Vegetables," have been mailed to members of the Association. Additional copies may be obtained upon request.

### Government Renews Request For Convention Cancellations

Joseph B. Eastman, Director of the Office of Defense Transportation, on July 15, renewed his request for cancellation of conventions and similar group meetings.

Convention travel, Mr. Eastman said, is interfering with military and essential war business travel. He asserted that the passenger transportation problem was now so serious that even those organizations whose conventions would be devoted to matters closely concerned with the war might contribute more to the war effort by canceling their meetings.

### CCC Calls In Group of Canners for Consultation

For the purpose of considering how Paragraph 4 of Director of Economic Stabilization Vinson's Press Release of June 11, 1943 (INFORMATION LETTER No. 939, June 19, 1943, p. 7723), might best be carried out, officials of the Commodity Credit Corporation requested a group of canners to meet with them on July 12.

Conferences continued through July 15 with respect to the means and methods whereby canners might be reimbursed for increased processing costs due to authorized wage increases, where such increased costs are not reflected in maximum price regulations of the Office of Price Administration. It is expected that within the near future some further announcement will be made by CCC.

The canners attending this meeting at the request of the Government included: E. N. Richmond, Carl Lovegren and Wayne Mayhew, California; H. T. Cummings, New York; George Sanders, Arkansas; Henry P. Taylor, Virginia; Ralph O. Dulany, Maryland; Harold C. Bachelder, Indiana; A. D. Elabarger, Pennsylvania; Philip Vineyard and E. F. Trego, Illinois.

### Home Canning Cherry Ceilings

Maximum prices for sour red cherries sold for table use and home-canning, to which only 10 per cent of the crop normally is put, have been established by the Office of Price Administration.

Putting sales of this fruit for table use under price control for the first time, OPA established a maximum price of 10 cents a pound for the country shipper; 10 cents a pound, plus cost of transportation, for carlot or trucklot sales at any wholesale receiving point; and 10 cents a pound, plus cost of transportation, plus 1½ cents a pound for less-than-carlot or less-than-trucklot sales.

The cherries will be sold under fixed mark-up at retail and will be somewhat higher than last year in cost to the ultimate consumer.

Cost of transportation and icing, or pre-cooling, is limited, as in other recent fruit and vegetable pricing actions of OPA.

This action which became effective July 10, was taken through Amendment No. 1 to Maximum Price Regulation No. 426.



## REPORTING REQUIREMENTS FOR CANNED FISH CHANGED

### West Coast Packers Directed to File With Regional Administrator

All reports to the Food Distribution Administration covering fish and shellfish packed after July 10, submitted by canners in Alaska, Washington, Oregon, and California, should be addressed to the Regional Administrator, Food Distribution Administration, Ref. FD-44, 821 Market Street, San Francisco 3, California, rather than to Washington, D. C. Packers in other States should continue to report as before.

Packers of tuna fish, bonito, and yellowtail need not report to the Government on such items packed after June 27, as was required prior to that date.

The government reservation of canned tuna and tunalike fishes was removed, effective June 28, by amendment to Food Distribution Order 44, as reported in the INFORMATION LETTER for July 3. Weekly pack reports on other varieties of canned fish under reservation are not affected by the removal of the requirement to report canned tuna.

These requirements are contained in Director Food Distribution Order 44.1 Amendment 1, text of which follows:

Order No. 44.1, dated May 4, 1943, is amended to read as follows:

#### § 1465.21 REPORTS IN CONNECTION WITH RESTRICTED FISH AND SHELLFISH

##### (a) Definitions.

When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "fish and shellfish" means fish and shellfish of the species designated in § 1465.20 (b)(1) of Food Distribution Order No. 44, as amended: Provided, That the albacore, yellowfin tuna, skipjack tuna, bluefin tuna, bonito, and yellowtail packed after June 27, 1943, shall not be subject to the reporting requirements contained in this order.

(2) The term "packing season" means the period from the time when a canner first commences to pack fish and shellfish on or after April 1, 1943, until the date that such canner ceases to pack fish and shellfish, or February 29, 1944, whichever date is the earlier.

##### (b) Weekly reports.

Each canner shall report on Form FDO-44-1, entitled "Canned Fish and Shellfish: Weekly Back Report," the quantity of each species of fish or shellfish packed by him in each calendar week of his packing season. Such reports shall be submitted for each calendar week during the respective canner's packing season, and such reports shall be submitted even though no fish or shellfish may be packed by such canner

during a particular week. Reports for the calendar weeks or parts of calendar weeks subsequent to the effective date hereof shall be submitted as aforesaid within four days after the last day of each such calendar week.

##### (c) Seasonal reports.

In addition to the weekly reports described in (b) hereof, each canner shall report on Form FDO-44-1 the total quantity of each species of fish and shellfish, respectively, which were packed by him during his packing season, and submit such report within 15 days after the termination of such packing season.

##### (d) Completion of reports.

All reports submitted pursuant to (b) and (c) hereof shall be completed pursuant to the instructions contained on Form FDO-44-1. The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

##### (e) Filing of reports.

All reports covering fish and shellfish packed after July 10, 1943, to be submitted pursuant to this order by canners in the Territory of Alaska and in the States of Washington, Oregon, and California shall be addressed to Regional Administrator, Food Distribution Administration, Ref. FD-44, 821 Market Street, San Francisco 3, California; reports by canners in other States shall be addressed to the Director of Food Distribution, United States Department of Agriculture, Washington 25, D. C., Ref. FD-44.

##### (f) Previous requirements continued in effect.

With respect to violations of Director Food Distribution Order No. 44.1, rights accrued or liabilities incurred prior to the effective date of this amendment, said Director Food Distribution Order No. 44.1 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

##### (g) Effective date.

This order shall take effect at 12:01 a.m., EDT, July 15, 1943.

## Adjustable Pricing Under GMPR

Adjustable pricing under the General Maximum Price Regulation will be governed by uniform, agency-wide provisions recently applied to other regulations, the Office of Price Administration said July 15.

Under these uniform provisions, any person may agree to sell at a price which can be increased up to the maximum price in effect at time of delivery; but no person may, unless first specifically authorized by OPA, deliver or

agree to deliver at prices to be adjusted upward in accordance with action taken by OPA after delivery.

Such authorization may be given by OPA when a request for a change in the applicable maximum price is pending and will be given only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Price Control Act.

These uniform provisions are embodied in the GMPR by Amendment No. 57, effective July 16.

## FOOD PRODUCTION GOALS

### Planting Program for 1944 Calls For About 380 Million Acres

The War Food Administration on July 13 announced a general 1944 production program for planting a record total of about 380 million acres in crops and for maintaining the production of meat, dairy products, and eggs at high levels next year. A specific goal for planting 68 million acres of wheat, 26 per cent above the indicated seedings for harvest this year, was also announced at this time. Goals for other crops will be announced shortly, it was stated.

The proposed total acreage is slightly above the previous peak planting of 377 million acres in 1932 and compares with 364 million acres planted for 1943 harvest. The total slaughter of meat for the next 12 months probably will average nearly 50 per cent above the average slaughter for the years 1936-40.

As additional aids to production, the WFA said that considerably more machinery and larger supplies of fertilizer will be available for farming during the 1944 crop year compared with this year. Steps also are being taken for efficient distribution and utilization of the labor supply available for agriculture.

In asking farmers for further upward adjustment of total production to meet the swiftly changing pattern of wartime consumption, War Food Administrator Marvin Jones stressed the need for planting more acres in crops such as dry beans and peas, soybeans, potatoes, and peanuts which have a high value as food for direct human consumption. To obtain adequate increases in such crops and to balance total production generally, the WFA will continue its program of support prices to establish desirable price relationships at levels designed to bring the needed volume of production.

Specific acreage goals for all crops will be developed for 1944 just as soon as this year's acreage and yields can

be determined more definitely. However, on the basis of prospective food requirements, it seems likely that an increase of 30 to 40 per cent above 1943 will be needed for dry edible beans and peas, 20 to 25 per cent for peanuts, and 15 to 20 per cent for soybeans used as beans. Continued high acreages will be needed for flaxseed, Irish and sweet potatoes, and certain other vegetables.

Recognizing that the supplies of machinery and fertilizer are limiting factors in farm production, the Food Ad-

ministration noted that the War Production Board has approved a program providing a substantial increase in the manufacture of farm machinery, starting July 1. The output of new machinery will be at approximately 80 per cent of the 1940 level which will make it possible to meet the minimum needs for all-out food production. The WFA also is confident that farmers will be able to obtain sufficient fertilizer required for the production of essential food and feed crops.

### Text of War Department Authorization Outlining Conditions Covering the Use of Soldiers to Harvest and Process Crops

Announcement that soldiers would be available to help canners with their packs this year was made in the June 26 INFORMATION LETTER. Some canners are making use of this additional manpower and it was felt that processors might be interested in the text of Section V of Circular No. 129, issued by the War Department, which specifies the conditions under which commanding officers of posts, camps, etc., may authorize this use of Army personnel in harvesting crop and in food processing operations. Text of the section follows:

Use of Army personnel in harvesting crops.—Section IV, Circular No. 90, War Department, 1943, is rescinded and the following substituted therefor:

1. Commanding officers of all posts, camps, stations, divisions, and lower separate units are authorized under the conditions set forth in paragraph 2 to—

a. Permit soldiers to engage in farm work and food processing, including only canning, freezing, dehydrating, and packing of fresh commodities for the open market, in nearby communities during normal off-duty periods.

b. Grant passes to soldiers in order to permit them to engage in farm work and food processing, including only canning, freezing, dehydrating, and packing of fresh commodities for the open market, in nearby communities.

2. Authorization granted in paragraph 1 is contingent upon the existence of the following conditions:

a. In the opinion of the commander concerned, an emergency exists in the nearby community due to shortage of available farm or food processing labor.

b. The soldier concerned desires permission or a pass in order to engage in farm or food processing work.

c. Such action will not interfere with the customary employment and regular engagement in farm and food processing work of local civilians.

d. Such action will not interfere seriously with training.

3. Soldiers will not be granted furloughs for the purpose of engaging in farm and food processing work.

4. The performance of farm or food processing work by soldiers during off-duty periods or while on pass will not involve expense to the Government. The pay for services rendered by the individual and all other conditions of his employment will be left to the determination of the individual soldier and his farm or food processing employer so far as the Army is concerned.

### LABOR BRANCH FUNCTIONS

#### Duties and Responsibilities of WFA Food Industries Group Outlined

In a July 14 memorandum, the War Food Administration outlined the functions and responsibilities of its Food Industries Labor Branch. According to the memorandum, the Branch will perform specific functions necessary to the maintenance of effective working relationships between WFA, the food industries, the War Manpower Commission, War Labor Board and other agencies, with regard to food processing and distribution labor.

These specific functions necessitate work related to three major fields of activity:

1. Activities involving retention of necessary workers, recruitment, and orderly replacement of workers in these industries.

2. Activities involving wage problems in these industries.

3. Activities involving manpower utilization and employer-employee relationships in these industries.

In the three major fields of activity outlined above, the Branch will maintain such relationships with the various agencies whose programs affect manpower, with the various branches of the Food Distribution Administration and with the industry as are necessary to assure that:

1. Detailed facts about the current production situation in the food indus-

tries and the effect of various labor and wage programs upon the food situation are currently made available to the agencies whose programs affect manpower.

2. Comprehensive information on the labor and wage situation in the food industries and the relationship of this situation to food supplies is currently available to WFA.

3. Necessary assistance is given to the food industries either through advice on means and methods to adjust to various labor and wage programs or through assuring that the peculiarities of labor and wage conditions in these industries are given due consideration in the formulation and administration of labor and wage programs.

On the subject of the necessity for assuming these responsibilities in FDA, the memorandum states that

"Effective management of food supplies in processing, transportation, storage and distribution channels is contingent upon the manpower situation in each activity. The manpower situation in each activity is the composite of many factors which impinge upon the supply of labor and the productivity of the labor available for each activity.

"These factors include wage stabilization policies; wage and hour policies; labor standards; working conditions, housing conditions for workers; transportation facilities for workers; employer-employee relations; worker morale; labor turnover; absenteeism; Selective Service policies; the quantitative supply of various types of workers in terms of age, sex and experience; recruitment and placement facilities; training facilities; employment stabilization policies; and similar factors which affect labor availability and labor productivity. Various Federal and State agencies are administering programs involving these factors. No single agency is responsible for all these programs and no single program involving any of these factors is confined exclusively to the food industries.

"FDA has a direct responsibility for assuring that the necessary food is processed and distributed. Concurrently, FDA has a direct responsibility to the various food processors and food distributors, which with it has contracts or agreements, to assure that they will not be asked or expected to do the impossible in view of the manpower problems which confront them. It also has the corollary responsibility of making every effort to assist the food industries in operating within current manpower policies so that a maximum of necessary goods and services may be produced.

"Because of these responsibilities of FDA and because no single agency is responsible for all manpower programs affecting the food industries, a focal point has been provided within the FDA to which the food industries can turn for advice and assistance on manpower problems."

## ALLOCATION OF CANNED VEGETABLES AND FRUITS FOR JULY 1, 1943, TO JUNE 30, 1944, PERIOD ANNOUNCED

**Civilians to Receive Nearly 70% of  
Prospective Vegetable Supply;  
53% of Fruits, Juices**

Civilians will receive nearly 70 per cent of the prospective supply of canned vegetables, including soups, and 53 per cent of the canned fruits and juices during the next 12 months, the War Food Administration said July 14, in announcing the allocation of these commodities.

The allocations represent the planned division of the expected supply of these canned products which will cause them to be used most effectively in meeting domestic and overseas food requirements. Canned foods, because of their relative non-perishability and ease in storing and shipping, are among the most important foods for military use.

The quantities allocated for civilians will provide, during the 12 months beginning July 1, about 4 per cent more of the vegetable products than were consumed on the average during the 1935-39 period, but about 40 per cent less of canned fruits. In terms of total quantities of both groups of products, this represents about 213 million cases for civilians during the next 12 months, compared with estimated civilian consumption of 278 million cases in 1942 and an average of 225 million cases during 1935-39. These supplies will be augmented by heavy home canning production, it was asserted.

During the next fiscal year, allocable supplies of canned vegetables including soups, baked beans, and baby foods, are estimated to total 262 million cases, with this prospective supply divided as follows: 70 per cent to civilians, 26 per cent for military and war services, 12 per cent for our allies, and the remainder for other exports and contingency reserves.

Allocable supplies of canned fruits and juices, excluding citrus, are estimated to total 61 million cases. Civilians will receive approximately 53 per cent, military and war services 40 per cent, less than one-half of 1 per cent to our allies, and the remainder for reserves and other exports.

Allocations for the first quarter are "firm" but allocations for the remaining three quarters are tentative, depending upon more definite information on production and requirements.

Since fresh fruits and vegetables are not suitable, because of their perishability, for sending overseas, military requirements place heavy emphasis on the canned and dehydrated products. This necessitates greater use by civil-

ians of home-canned foods and the fresh products, the WFA press release said.

The following table presents the allocations, along with civilian consumption figures for previous years:

COMPARISON OF ALLOCATIONS AND ALLOCABLE SUPPLIES OF SPECIFIED COMMODITIES DURING THE  
1943-44 FISCAL YEAR

Commodity	Total allocable supplies	Recommended allocation July 1, 1943 to June 30, 1944				Apparent civilian consumption (Pack year)	
		Contingency reserves	Military and war services	Lend- lease	Other exports & ship- ments <sup>a</sup>	U. S. civilians	1942 1935-39 average
	1,000 cases (24-2½'s)	1,000 cases (24-2½'s)	1,000 cases (24-2½'s)	1,000 cases (24-2½'s)	1,000 cases (24-2½'s)	1,000 cases (24-2½'s)	1,000 cases (24-2½'s)
Canned fruits and juices excluding citrus*....	61,136	3,800	34,490	279	238	32,609	51,500
Canned vegetables in- cluding soups, baked beans and baby foods*.....	262,538	10,000	67,710	3,140	1,502	180,186	226,300
							173,000

\* Actual allocation by the War Food Administrator, May 13, 1943.

<sup>a</sup> Includes Red Cross and foreign relief and rehabilitation.

### Allocation of Dry Beans, Peas

In announcing the allocation of dry beans and peas for civilians, military uses, shipments to the allies, and other export groups, WFA said that U. S. consumers, based on present production estimates, will have more dry beans and peas available in the next 12 months than in 1942.

Of the total estimated allocable supply of beans for the next 12 months—22,200,000 bags (100-lbs.)—civilians will have slightly more than half, or 11,300,000 bags. This exceeds civilian consumption of dry edible beans in 1942 by 500,000 bags. Allocated for military, were 3,400,000 bags, and for our allies (principally Russia and the United Kingdom), foreign relief, and reserves, 7,500,000 bags.

Of the total supply of dried peas expected to be available for distribution from July 1, 1943, through June 30, 1944—4,150,000 bags (100-lbs.)—civilians have been allocated 1,624,000 bags. This exceeds consumption in 1942 by 179,000 bags and the 1935-39 average consumption by 76,000 bags. Allocated for the war services were 357,000 bags, and for Lend-lease and government reserves, 2,169,000.

The civilian allocation is actually more favorable than indicated by the above figures, officials said. Men in the armed forces, whose consumption of these commodities during the period 1935-39 is included in the civilian consumption figure for that period, will be supplied during the coming year from the allocation to the war services.

### Meat Allocations

WFA announced that civilians' allotted share of the total meat supply during the next 12 months (July 1, 1943 to July 1, 1944)—63 out of every 100 pounds—will allow a continuation of the civilian meat ration at about the present level.

Total allocable meat supplies, excluding necessary operating reserves that must be maintained, are estimated at about 23½ billion pounds. Although precise estimates of production and requirements cannot be made at this time, indications are that civilians will receive during this 12-month period about 14½ billion pounds.

Of the total allocable meat supply, the armed forces have been allocated almost 4 billion pounds or 17 pounds out of every 100; and the Food Distribution Administration will procure for our allies roughly 3½ billion pounds (mostly pork), or 14 pounds out of every 100. Allotments for reserve supplies and exports, including the Red Cross and U. S. territories and possessions, account for the remaining 6 pounds.

Some 9 billion pounds of beef are expected to be available during the next 12-month period. Of this amount the civilian share approximates 6 billion pounds, about 66 pounds out of every 100 produced. Approximately 2 billion pounds (23 out of each 100) will go to the armed forces. Other claimant groups including the Red Cross, U. S. territories and possessions and our allies are to get about 170 million pounds, or 2 out of each 100 pounds available.



The remaining 9 out of each possible 100 pounds has been earmarked as a contingency reserve—set aside to take care of unforeseen requirements and to provide a cushion against a possible failure of cattle marketings to increase in coming months as now anticipated.

Of the approximately 12 billion pounds of pork expected to be available during the period, civilians have been allocated a little over 7 billion pounds, 59 pounds out of every 100 pounds available for distribution. Our allies are scheduled to utilize 3 billion pounds and military and war services will need another billion and a half.

The anticipated production of veal in the next 12 months is a little over one billion, 100 million (1,100,000,000) pounds, of which civilians have been allocated a little over 900 million pounds, or roughly 80 out of every 100 pounds produced. The armed forces' requirements are about 200 million pounds and our allies will receive about 8 million.

Lamb and mutton production for the 12-month period is estimated at about 834 million pounds. Of this amount civilians have been allocated about 540 million pounds or 65 pounds out of every 100. Military and war services need about 154 million pounds. About 135 million pounds have been allocated to countries receiving defense aid.

#### Canned Milk Allocations

Of the 69 million cases of evaporated milk expected to be available for consumption during the next 12 months, civilians have been allocated 30 million cases, or about 4 1/4 cases out of every 10 cases produced. Military and war services will get almost as much evaporated milk out of the next year's supplies as civilians—slightly more than 24 million cases, or about 3 1/4 out of every 10 cases produced. Much smaller amounts will be made available to our allies and other export groups.

The allocations, made on the basis of the relative urgency and importance of all claims for these foods, represent the requirements of all claimant groups as adjusted to total prospective supplies, it was stated.

Civilians will get the major share of prospective condensed milk supplies—approximately two-thirds of the available 300 million pounds. None has been allocated for military use. Our allies and export groups will get one-third.

All allocations, WFA officials pointed out, are based on expected production and, therefore, are "firm" only for one quarter. At the end of September, the fall quarter allocations will be reviewed, with possible adjustments made.

#### Bowles Offered OPA Managership; Maxon Hands in His Resignation

Price Administrator Prentiss M. Brown announced July 15 that Chester Bowles, member of the advertising firm of Benton & Bowles, and now State Director of the Office of Price Administration for Connecticut, has been offered the position of general manager of OPA. On the same date, Lou R. Maxon, Deputy Administrator in Charge of Information, who once was reported to have been offered the general managership, handed in his resignation and issued criticism of the OPA personnel and administration.

As the INFORMATION LETTER went to press, Mr. Bowles had not yet accepted the offer but Mr. Brown told the press he was confident he would do so, probably by the end of July. Mr. Bowles will succeed to the post of Senior Deputy Administrator of OPA.

#### CANNED WHITE POTATOES

##### Specifications Drawn by FDA to Cover Government Agency Purchases

The War Food Administration is inviting bids for canned white potatoes. Deliveries are required to conform to the following:

F.D.A. Specifications for Canned White Potatoes, effective July 7, 1943.

##### Styles:

Canned white potatoes shall be such of the following styles as specified; and styles shall not be mixed in a single container:

Style I. WHOLE.

Style II. CUT,—including quarters, "orange cuts," or irregular cuts.

Style III. SLICED,—shall be thick enough to hold their conformation after processing.

##### General Requirements:

All deliveries shall conform, in every respect, to the provisions of the Federal Food, Drug, and Cosmetic Act, and regulations promulgated thereunder.

##### Fill of Container:

The container shall be filled with potatoes as full as practicable without impairment of quality. The product and packing medium shall occupy not less than 90 per cent of the total volume capacity of the container.

##### Drained Weights:

Drained weights of canned whole, cut, and sliced white potatoes shall be determined by emptying the contents of the container in such a manner as to distribute the product evenly upon a circular sieve of proper diameter

containing 8 meshes to the inch (0.007-inch perforations). Without disturbing the product, the sieve shall be so inclined as to facilitate drainage and the product shall be allowed to drain for 2 minutes. The drained weight shall be the weight of the sieve and potatoes less the weight of the dry sieve. A sieve 8 inches in diameter shall be used for No. 2 1/2 size cans and smaller, and a sieve 12 inches in diameter shall be used for No. 10 size cans. The maximum head space allowable, measured from top of double seam in 16ths of an inch, and the drained weights required for Styles I, II and III canned white potatoes are shown in the following table:

Can size	Max. head space allowable 16ths of an inch	Minimum drained weight Ounces
No. 2 1/2.....	9.9	21
No. 10.....	13.6	78

Compliance with drained weight requirements will be determined by averaging all containers examined from each lot offered for delivery, provided the range of variability is within the limits of good packing practice. The average thus obtained shall be not less than the drained weights specified in the foregoing table.

##### Detailed Requirements:

Canned white potatoes shall be properly peeled and shall be packed under sanitary conditions in accordance with good commercial practice. Potatoes shall be packed in a water solution containing not less than 2 per cent salt and shall be sufficiently processed by heat to assure preservation of the product. Cans shall be sound and clean, free from rust and serious dents; and the ends shall be flat or concave.

Canned white potatoes shall have a typical light color, shall possess a normal flavor and a firm texture; shall be practically free from oxidation or any other discoloration and may contain not more than 15 per cent by weight of units damaged by defects (such as may be caused by mechanical, pathological, insect or other injury, or units that are broken), including not more than 10 per cent of units that may possess unpeeled eyes which materially affects the appearance or eating quality of the potatoes.

"Damage" means any injury or defect which materially injures the appearance or eating quality of the individual potato unit.

It is understood that all purchases of canned white potatoes by any government agency must meet these requirements.

The processes suggested for sterilization of canned white potatoes in brine, given in Bulletin 26-L, of the Association's Research Laboratory, are as follows:

Number 2 1/2 cans—35 minutes at 240° F.

Number 10 cans—60 minutes at 240° F., except for Style III sliced potatoes, which should be processed 65 minutes at 240° F.

**WANTED AND FOR SALE****Machinery-Equipment**

This column is open only to members of the Association who want to buy or sell canning machinery and equipment. Names of firms listing the items below will be furnished upon application to the Association. In requesting names, please identify items by number.

**FOR SALE**

**254-S**—Twenty-four inch smoke stack, 51 feet long, in two sections; all in good condition, part of stack made in 1942.

**255-S**—Two beet cutters.

**256-S**—Monitor bean cutter.

**257-S**—Pumpkin seed cleaner.

**258-S**—Fruit grader (for plums, pears, apples).

**259-S**—200-foot roller conveyor.

**260-S**—Nestler sample pea grader.

**261-S**—Shaker bean filler.

**262-S**—Rhubarb cutter.

**263-S**—Two copper-jacketed kettles, about 45-gallon capacity.

**AMENDED M-81 CHANGES  
CERTAIN PRODUCT QUOTAS**

(Continued from page 7761)

It is estimated by WPB that these restrictions will save approximately 6,000 tons of tin a year.

In a few months, the production of 0.50 electrolytic tinplate will have increased to a point where all requirements can be met, it was stated. Several new electrolytic mills will have been put into production.

Many of the cans will not be used for packing foods until the 1944 season, but some of the 0.50 cans are being used in the 1943 pack.

Text of the order follows:

(Conservation Order M-81 as amended July 17, 1943)

§ 3270.31 CONSERVATION ORDER M-81  
(a) Definitions.

(1) "Can" means any unused container which is made in whole or in part of tinplate, terneplate, blackplate, or waste, and which is suitable for packing any product. The term includes any container closure or fitting made in whole or in part of tinplate, terneplate, blackplate, or waste, but does not include a closure or fitting to be used on or as a part of a glass container. The term does not include fluid milk shipping containers, as defined in Conservation Order M-200.

(2) "Tinplate" means any sheet steel coated with tin and includes "primes", "seconds", "waste-waste" (except "electrolytic waste-waste"), and all other forms of tinplate except waste.

(3) "Terneplate" means sheet steel coated with a lead-tin alloy, and includes "primes", "seconds", "waste-waste", and all other forms of terneplate except waste.

(4) "Blackplate" means any sheet steel 20-gauge or lighter, other than tinplate or terneplate. The term includes "blackplate rejects" and "electrolytic waste-waste", and all other forms of blackplate except waste.

(5) "Waste" means scrap tinplate, terneplate, and blackplate, produced in the ordinary course of manufacturing cans.

(6) "Pack", unless particularly specified, means the quantity, by area measurement of tinplate, terneplate, and blackplate required for the manufacture of all sized cans used by a person for packing a particular product during the base period specified.

(b) Restrictions upon manufacture, sale, and delivery of cans.

(1) No person shall sell or deliver any can except under a purchase order or contract validated by a delivery to such person of a purchaser's certificate, manually signed by the purchaser or an authorized official of the purchaser, in substantially the form attached hereto as Exhibit A. No person shall manufacture, sell, or deliver any can which he knows or has reason to believe will be used in violation of any provision of this order.

(2) No person shall manufacture any cans smaller than five gallons with ears, balls, or handles, or any metal keys for opening cans, except that the restrictions of this paragraph (b) (2) shall not apply to cans or keys to be delivered to (1) the Army, Navy, Marine Corps, Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such Commission or Administration for use thereon), pursuant to a letter of intent approved by or a purchase order or contract negotiated for or with any of these agencies, or (2) to other persons pursuant to authorization by the Maritime Commission under Form PD-500.

(c) Restrictions upon purchase, acceptance of delivery, and use of cans.

(1) No person shall, during the calendar year 1943 (or the seasonal year 1942-1943, when specified), purchase, accept delivery of, or use for packing a product any can except to the extent permitted in Schedules I, II, and III, attached to this order: *Provided, however*, That a jobber or retail store may obtain and sell cans in conformity with the provisions of this order.

(2) The schedules attached to this order list the only products permitted to be packed in cans, packing quotas, sizes of cans, and the kinds of plate permitted for the manufacture of cans.

The calendar year basis shall obtain except for products for which a seasonal year is specified. A seasonal year for a particular product represents a twelve months' period beginning in one calendar year and ending in the next.

The sizes of the can specified for a particular product indicate the only sized cans which may be used for packing that product, except that such product may, subject to all other restrictions imposed by this order, be packed in cans larger than the largest size specified therefor.

When tinplate is specified for the manufacture of cans for packing a particular product, the coating indicated represents the maximum weight of tin coating per single base box. The term "0.50 tinplate" or "0.75 tinplate" wherever used in this order, includes "menders" arising in the production of such tinplate which have been hot dipped with a maximum tin coating of 1.25 pounds per base box. When SCMT is specified, Special Coated Manufacturers' Terneplate is referred to. When blackplate is specified, the specification includes chemically treated blackplate (CTB).

(3) No product packed in a can shall be repacked for sale in a can or any other container by the same or a different person in the same or a different form except to the extent specifically permitted in the schedules attached to this order or pursuant to Conservation Order M-104.

(4) No dried or frozen fruit or vegetable shall be packed in a can, except to the extent specifically permitted in the schedules attached to this order.

(d) Exceptions.

(1) The restrictions imposed by this order shall not apply to the purchase, acceptance of delivery or use of the following cans:

(i) Cans (other than for samples distributed for the purpose of advertising or promoting the sale of a product), for packing any product which is not to be sold in the same or different form.

(ii) Fiber or paper bodied cans with ends made of waste for packing the following products: any food product for human consumption, anti-septic or medicinal powders, dental plastics, dentifrice powders, insect and rodent poisons, seed disinfectants and seed inoculants, caulking compound, cements, and photographic chemicals.

(iii) Open-top sanitary tinplate cans for packing any products listed in Schedules I and II attached to this order: *Provided*, (a) The packer has packed and set aside the full amount of any such product which he is required to set aside pursuant to Food Distribution Order No. 22 and orders supplementary thereto; (b) the cans are not of any of the specific sizes listed for open-top sanitary cans in Schedules I and II; and (c) the cans either were manufactured on or be-



fore December 9, 1942, or were or are manufactured from parts lithographed, cut to individual size, or partially assembled on or before December 9, 1942, and/or from parts produced from tinplate which, on or before December 9, 1942, was so processed or was of such size, gauge or grade that it is not suitable for the manufacture of tinplate cans of the types and sizes permitted by this order (exclusive of cans for which "frozen tinplate" is specified).

(iv) Cans (other than open-top sanitary tinplate cans) for packing, subject to quota restrictions, any product listed in Schedules I, II, and III or, if the cans are not suitable for any such product, for packing any product not so listed: *Provided*, That, in either event, the cans (a) are not of the specific sizes listed, in the schedules attached to this order, for the products for which the cans were originally designed and (b) either were completely manufactured on or before December 9, 1942, or were or are manufactured from parts cut to individual size for such cans on or before December 9, 1942.

(v) Cans for packing any products not listed in Schedules I and II attached to this order when such cans are to be delivered either packed or empty to the Army, Navy, Marine Corps, Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such commission or Administration for use thereon), either (a) pursuant to a letter of intent approved by or a purchase order or contract negotiated for or with any of these agencies, or (b) to other persons pursuant to authorization by the Maritime Commission under Form PD-300.

(2) [Revoked April 27, 1943]

(3) No certificate shall be required for the sale or delivery of cans to any purchaser who has already filed a certificate with his seller under Conservation Order M-81.

(c) *Miscellaneous provisions.*

(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(3) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Containers Division, War Production Board, Washington, D. C. Ref.: M-81.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further delivery of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) [Revoked April 27, 1943]

Issued this 17th day of July 1943.

EXHIBIT A

PURCHASER'S CERTIFICATE

One copy of this certificate is to be delivered to each person from whom purchases are made of cans made in whole or in part of tinplate, terneplate, blackplate, or waste. Such certificate shall cover all purchases present and future so long as Conservation Order M-81, in its present form or as it may be amended from time to time, remains in effect.

The undersigned purchaser hereby certifies to the seller herein and to the War Production Board that he is familiar with Conservation Order M-81, as heretofore amended, and that during the life of such order he will not use or sell any can purchased from

.....  
(Name of Seller)

.....  
(Address of Seller)

pursuant to this or future purchase orders or contracts in violation of terms of such order.

Date....  
(Legal name of Purchaser)

By .....  
(Authorized Official)

.....  
(Title of Official)

.....  
(Address of Purchaser)

Section 35A of the U. S. Criminal Code (18 U. S. C. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

SCHEDULE I—FOOD CANS

NOTE: Paragraph 2 and items 1-10, 13, 21, 22, 29, 34, 35, 38, 40-42, 57, 65 amended, and items 10a, 29a, 33a, and 34a added July 17, 1943. Fish and Shellfish, formerly under Schedule I, is amended and now appears in Schedule II.

(1) Packing quotas specified in this Schedule I indicate total packs of the respective products listed, for all purposes including cans required by any order of the War Production Board, the Department of Agriculture, or the Director of Food Distribution, to be set aside for purchase by a government agency. The designation FDO-22 indicates that cans may be used for packing only the quantity of product required to be set aside by Food Distribution Order No. 22 and orders supplementary thereto, as same may be amended from time to time. Such quantity is hereinafter sometimes referred to as "set aside quotas."

(2) (a) Until September 30, 1943, all persons manufacturing cans shall, to the greatest extent available, use 0.50 tinplate wherever the single asterisk appears in Columns (4) or (5), and chemically treated blackplate wherever the double asterisk appears. All persons using cans marked with the asterisk are hereby required to accept from the manufacturer making delivery, to the greatest extent available, cans made as specified of 0.50 tinplate wherever the single asterisk appears, and cans made as specified of chemically treated blackplate wherever the double asterisk appears. Wherever the double asterisk appears, to the extent that chemically treated blackplate is not available, 0.50 tinplate is to be used by manufacturers, and cans made there-

from accepted by users, to the greatest extent available, in preference to 1.25 tinplate.

On and after September 30, 1943, all persons manufacturing cans and all persons using cans for packing any products listed in this schedule, bearing the single asterisk in Columns (6) or (7), shall use 0.50 tinplate to the extent of not less than 50 percent of the pack of each product packed after that date.

(b) On and after September 30, 1943, no person shall manufacture and no person shall use, for packing any products listed in this schedule, any cans made of materials except as specified in Columns (6) and (7). However, the provisions of this subparagraph (b) shall not apply to cans which were or are made from 1.25 tinplate, when the tinplate was either in process at the tin mill, in the inventory of the tin mill for the account of the can manufacturer, or in the inventory of the can manufacturer:

(i) On or before August 15, 1943 and the cans were produced specifically for items bearing either the single or double asterisk in Columns (4) or (5).

(ii) On or before September 30, 1943 and the cans were produced specifically for items which in Columns (6) or (7) bear the single asterisk or specify 0.75 tinplate.

(3) Wherever the triple asterisk appears in Column (3) for any product, every canner who possesses No. 10-size can equipment shall pack at least two-thirds of his entire set-aside quota in No. 10 cans, if the fullest practicable use of that equipment provides sufficient capacity. If such use does not provide sufficient capacity, he shall pack as much of the

set-aside quota in No. 10-size cans as such capacity does permit, and shall pack the balance of that quota in the other sizes of cans permitted for the particular product. The provisions of this paragraph (3) shall not in any way affect packing in glass, but only the packing of set-aside quotas in No. 10-size cans in preference to other can sizes.

Product (1)	Packing Quota (2)	Can Sizes (3)	Can Materials, until September 30, 1943		Can Materials after September 30, 1943	
			Body (4)	Ends (5)	Body (6)	Ends (7)
FRUITS AND FRUIT PRODUCTS						
1. Apples, including crabapples. Whole apples not to be packed.	100% 1942-43.	10.....	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin*
2. Apple sauce, including sauce from crabapples...	75% 1942-43..	2-10***	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin*
3. Apricots. Whole apricots not to be packed unless fully ripe and 12 or more to the pound.	FDO-22.....	2½-10***	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin*
4. Blackberries, black raspberries, red raspberries, boysenberries, loganberries, and youngberries when packed as berries.	Unlimited....	2-2½-10***	1.50 tin.....	1.50 tin.....	1.50 tin.....	1.50 tin
5. Blueberries, or huckleberries.....	Unlimited....	2-10***	1.50 tin.....	1.50 tin.....	1.50 tin.....	1.50 tin
6. Cherries—other than white.....	Unlimited....	2-2½-10***	1.50 tin.....	1.50 tin.....	1.50 tin.....	1.50 tin
7. Cherries—white.....	Unlimited....	2-2½-10***	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin
8. Cherries, RSP—frozen only.....	50% of total frozen tonnage packed in all containers in 1942.	¼ of pack in 30 lb. cans; ¼ of pack in 50 lb. cans.	1.25 tin*.....	1.25 tin*.....	0.50 tin.....	0.50 tin
9. Figs—(Kadota).....	Unlimited....	2½-10***	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin*
10. Fruit Cocktail—consisting of any combination of fruits listed in this Schedule I and grapes; provided that the combination, by drained weight, shall consist of not less than 50 percent peaches and pears, and may consist of not to exceed 10 percent grapes. Pineapple may be repacked from No. 10 or larger cans, to the extent of 10 percent of the fruit cocktail.	Unlimited....	2½-10***	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin*
10a. Mixed fruits—consisting of any combination of fruits listed in this Schedule I (with or without grapes) provided the combination by drained weight shall consist of not less than 65 percent nor more than 65 percent Diced Peaches, and not less than 35 percent nor more than 45 percent Diced Pears; or a combination of not less than 50 percent nor more than 60 percent Diced Peaches and not less than 30 percent nor more than 40 percent Diced Pears with not less than 6 percent nor more than 10 percent Grapes. Such peaches or pears shall be peeled, pitted, or cored, and diced to a size such that no more than 20 percent of the units will pass through a 5/16" standard sieve, and no more than 20 percent of the units will have a greater edge dimension than ¾", and so as to leave not more than 1 square inch of peel per pound of product on a drained weight basis. Not more than 10 percent of the grapes shall be cracked or crushed or have attached cap stems. No fruit may be packed under this item until the packer has packed and set aside his full quota for that fruit as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	Unlimited....	2½-10.....	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin*
11. Grapefruit, segments.....	FDO-22.....	2.....	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin
12. Grapefruit juice.....	Unlimited....	2-3 cyl-10***	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin
13. Olives—ripe and green-ripe.....	25% 1941-42..	10.....	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin*
14. Orange juice.....	FDO-22.....	2-3 cyl-10***	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin
15. Orange-grapefruit juice blended (50% orange—50% grapefruit).	FDO-22.....	2-3 cyl-10***	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin
16. Peaches (clingstone), halves, slices or cubes....	Unlimited....	2½-10***	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin*
17. Peaches (freestone), halves, slices, or cubes. Not to be packed in California.	Unlimited....	2½-10***	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin*
18. Pears, halves, slices, or cubes.....	Unlimited....	2½-10***	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin*
19. Pineapple, slices, chunks, crushed, or tidbits. Spears not to be packed.	Unlimited....	2-2½-3 cyl-10***	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin
20. Pineapple juice.....	Unlimited....	2-3 cyl-10***	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin
21. Plums.....	Unlimited....	2½-10.....	1.50 tin.....	1.50 tin.....	1.50 tin.....	1.50 tin
22. Prunes, fresh Italian. Not to be packed in California.	100% 1942..	2½-10.....	1.50 tin.....	1.50 tin.....	1.50 tin.....	1.50 tin

Product (1)	Packing Quota (2)	Can Sizes (3)	Can Materials, until September 30, 1943		Can Materials after September 30, 1943	
			Body (4)	Ends (5)	Body (6)	Ends (7)
VEGETABLES AND VEGETABLE PRODUCTS						
23. Asparagus, all-green or culturally bleached.....	Unlimited....	2-2½-10***	1.25 tin.....	1.25 tin*.....	1.25 tin.....	0.50 tin.
24. Beans, green or wax.....	Unlimited....	2-2½-10***	1.25 tin.....	1.25 tin*.....	1.25 tin.....	0.50 tin.
25. Fresh shelled beans (whether referred to as beans or peas). Lima beans.....	Unlimited....	2-2½-10***	1.25 tin*.....	1.25 tin**.....	0.50 tin.....	CTB.
Other fresh shelled beans, including but not limited to black-eyed peas or beans, field peas, soy beans.		2-2½-10.....				
26. Beets. Whole beets over 1½" diameter not to be packed.	100% 1942...	2-2½-10***	1.25 tin.....	1.25 tin*.....	1.25 tin.....	0.50 tin.
27. Carrots. Whole carrots not to be packed.....	130% 1942...	2-2½-10***	1.25 tin.....	1.25 tin*.....	1.25 tin.....	0.50 tin.
28. Corn, fresh, sweet, cut.....	Unlimited....	2-10.....	1.25 tin*.....	1.25 tin**.....	0.50 tin.....	CTB.
Cream style.....		2-2 vacuum (307 x 306) for vacuum pack-10***				
Whole kernel.....		2 vacuum (307 x 306) 2-2½-10.				
29. Mixtures of vegetables, (except Succotash, and Peas and Carrots) which consist of not less than 90 percent of any combination of vegetables listed in this schedule, (or of any such combination and celery, onions, and peppers); provided that the combination, by drained weight, shall consist of not more than 60 percent of any one vegetable; and, provided further, that no vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	75% 1941....	2 vacuum (307 x 306) 2-2½-10.	1.25 tin.....	1.25 tin*.....	1.25 tin.....	0.50 tin.
29a. Succotash—Provided that no vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	Unlimited....	2-2½-10.....	1.25 tin*.....	1.25 tin**.....	0.50 tin.....	CTB.
30. Mushrooms.....	50% 1941-42....	2 oz-4 oz-8 oz.....	1.25 tin.....	1.25 tin*.....	1.25 tin*.....	0.50 tin.
31. Okra.....	100% 1940....	2-2½-10.....	1.25 tin.....	1.25 tin*.....	1.25 tin.....	0.50 tin.
32. Tomatoes and Okra.....	100% 1940....	2-2½-10.....	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin*.
33. Peas, green.....	Unlimited....	2-2 vacuum (307 x 306) for vacuum pack-10***	1.25 tin*.....	1.25 tin**.....	0.50 tin.....	CTB.
33a. Peas and Carrots—fresh green peas only. Carrots not to exceed 40 percent of total drained weight. No vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	Unlimited....	2-2½-10.....	1.25 tin.....	1.25 tin*.....	1.25 tin.....	0.50 tin.
34. Pumpkin and Squash.....	100% 1942....	2½.....	1.25 tin.....	1.25 tin*.....	1.25 tin.....	0.50 tin.
34a. Sweet Potatoes—including Yams.....	50% 1941....	2½-3 Vao.....	1.25 tin.....	1.25 tin*.....	1.25 tin.....	0.50 tin.
35. Soups—Limited to the below-listed kinds of seasonal and non-seasonal soups containing no less than the specified percentage, by weight, of solids (dry or salt-free, whichever is specified) from dairy products in any form; poultry or poultry products in any form; fresh, brined, or frozen meats, fish, vegetables, and other products of the kinds listed in Schedules I or II.						
a. Seasonal soups.....	Unlimited....	1 picnic.....	1.25 tin*.....	1.25 tin*.....	0.50 tin.....	0.50 tin.
Kinds.....						
Asparagus.....	7% dry solids					
Pea.....	7% dry solids					
Spinach.....	7% dry solids					
Tomato.....	7% dry solids					
Mushroom.....	18½% salt-free solids					
b. Non-seasonal soups.....	75% of total 1942 pack of specified non-seasonal soups.	1 picnic.....	1.25 tin*.....	1.25 tin*.....	0.50 tin.....	0.50 tin.
Kinds.....						
Chicken, Chicken gumbo, chicken noodle, gumbo creole, consommé, bouillon.....	6% dry solids					
Clam or fish chowders, turtle.....	8% dry solids					
Scotch broth, vegetable, vegetable-vegetarian, pepper pot, oxtail, mock turtle, country style chicken, and corn chowder.....	10% dry solids					
Beef and vegetable-beef.....	12% dry solids					
Bean.....	23% salt-free solids					



Product (1)	Packing Quota (2)	Can Sizes (3)	Can Materials, until September 30, 1943		Can Materials after September 30, 1943	
			Body (4)	Ends (5)	Body (6)	Ends (7)
VEGETABLES AND VEGETABLE PRODUCTS—Continued						
36. Green leafy vegetables.....			1.25 tin.....	1.25 tin*.....	1.25 tin.....	0.50 tin.
Spinach.....	50% 1942.....	2½-10***.....				
Other green leafy vegetables, limited to beet, collard, dandelion, kale, mustard, poke, and turnip greens.....	50% 1942.....	2½-10.....				
37. Tomatoes.....	Unlimited.....	2-2½-10***.....	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin.*
38. Tomato catsup, not less than 25 percent (specific gravity 1.11), by weight of total dry solids.....	FDO-22.....	2½-3 cyl-10***.....	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin.*
39. Tomato juice, which may contain not more than 30 percent of other vegetable juices.....	Unlimited.....	2-3 cyl-10***.....	1.25 tin.....	1.25 tin*.....	1.25 tin.....	0.50 tin.
40. Tomato sauce, including spaghetti sauce, con- taining not less than 8.7 percent (specific grav- ity 1.037), by weight of dry tomato solids, and not less than 10.0 percent (specific gravity 1.042) by weight of total dry solids, salt free. In addition to salt, the contents may contain pepper, spice oils, and other flavoring ingredi- ents.....	Unlimited.....	2-10***.....	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin.*
	125% 1942.....	5 gal reusable.....	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin.....
	pack of sizes 82 and 1 picnie.....	82—1 picnie.....	1.25 tin.....	1.25 tin*.....	1.25 tin.....	1.25 tin.*
41. Tomato paste, from fresh tomatoes, containing not less than 25 percent, by weight of dry to- mato solids.....	Unlimited.....	2½-10***-12.....	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin.*
	125% 1942.....	5 gal reusable.....	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin.....
	pack of size 62.....	62.....	1.25 tin.....	1.25 tin*.....	1.25 tin.....	1.25 tin.*
42. Tomato pulp or puree, from fresh tomatoes, con- taining not less than 10.7 percent (specific gravity 1.045) or more than 25 percent, by weight of dry tomato solids.....	Unlimited.....	2-2½-10***.....	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin.*
	125% 1942.....	5 gal reusable.....	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin.....
	pack of size 1 picnie.....	1 picnie.....	1.25 tin.....	1.25 tin*.....	1.25 tin.....	1.25 tin.*
NOTE: Tomato paste, tomato pulp or puree and tomato sauce, may be repacked from No. 10, or from 5 gal. or larger reusable cans when re- quired for packing other products, or for re- packing in different form (other than in the form of tomato paste, or tomato pulp or puree); but none may be repacked in the same form. No. 10 cans cut under this provision must be properly cleaned and returned to the nearest detinning plant.						
FISH AND SHELLFISH (Processed, and in hermetically sealed cans)						
43. Clams, soft, hard, or razor.....	Unlimited.....	½ flat (307 x 200.25) (307 x 201.25) 1 picnie (211 x 400)—1 tall (301 x 411)—2 (307 x 409)—10 (603 x 700).....	1.25 tin*.....	1.25 tin*.....	0.50 tin.....	0.50 tin.
44. Crabmeat.....	Unlimited.....	½ flat (307 x 201.25).....	1.25 tin*.....	1.25 tin*.....	0.50 tin.....	0.50 tin.
45. Fish flakes. Dried fish flakes not to be packed....	Unlimited.....	300 (300 x 407)—2 (307 x 409).....	1.25 tin*.....	1.25 tin*.....	0.50 tin.....	0.50 tin.
46. Ground fish, containing no filler and packed for human consumption only.....	Unlimited.....	300 (300 x 407).....	1.25 tin*.....	1.25 tin*.....	0.50 tin.....	0.50 tin.
47. Fish livers and fish liver oils.....	Unlimited.....	5 gal. reusable.....	1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin
48. Fish roe.....	Unlimited.....	300 (300 x 407)—½ oval (513 x 307 x 103).....	1.25 tin*.....	1.25 tin*.....	0.50 tin.....	0.50 tin.
49. Herring, Atlantic Sea, by whatever name known including sardines.....	Unlimited.....	¼ drawn (300.5 x 404 x 014.5)—¾ drawn (304 x 508 x 105)—¾ three pieces (308 x 412 x 112)—300 (300 x 407).....				
Packed in brine.....			1.25 tin*.....	1.25 tin*.....	0.50 tin.....	0.50 tin.
Packed in oil.....			1.25 tin*.....	1.25 tin**.....	0.50 tin.....	CTB
Packed in mustard or tomato sauce.....			1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin.*
50. Herring, Pacific Sea.....	Unlimited.....	1 tall (301 x 411).....				
Packed in brine.....			1.25 tin*.....	1.25 tin*.....	0.50 tin.....	0.50 tin.
Packed in oil.....			1.25 tin*.....	1.25 tin**.....	0.50 tin.....	CTB
Packed in mustard or tomato sauce.....			1.25 tin.....	1.25 tin.....	1.25 tin.....	1.25 tin.*
51. Herring, river (alewives).....	Unlimited.....	300 (300 x 407)—2 (307 x 409).....	1.25 tin*.....	1.25 tin*.....	0.50 tin.....	0.50 tin.
52. Mackerel.....	Unlimited.....	300 (300 x 407).....	1.25 tin*.....	1.25 tin*.....	0.50 tin.....	0.50 tin.
53. Menhaden.....	Unlimited.....	300 (300 x 407).....	1.25 tin*.....	1.25 tin*.....	0.50 tin.....	0.50 tin.
54. Mullet.....	Unlimited.....	300 (300 x 407).....	1.25 tin*.....	1.25 tin*.....	0.50 tin.....	0.50 tin.
55. Mussels.....	Unlimited.....	1 picnie (211 x 400)— 2 (307 x 409)—10 (603 x 700).....	1.25 tin*.....	1.25 tin*.....	0.50 tin.....	0.50 tin.

Product (1)	Packing Quota (2)	Can Sizes (3)	Can Materials, until September 30, 1943		Can Materials after September 30, 1943	
			Body (4)	Ends (5)	Body (6)	Ends (7)
FISH AND SHELLFISH—Continued						
56. Oysters. No. 1 picnic cans shall contain not less than 7½ ounces of oysters by cut-out drained weight; No. 2 cans 14 ounces; and other permitted size cans shall contain a fill correspondingly proportionate to the No. 1 picnic can.	Unlimited....	1 picnic (211 x 400)– 1 tall (301 x 411)– 2 (307 x 409).	1.25 tin*....	1.25 tin*....	0.50 tin....	0.50 tin.
57. Filehards, by whatever name known including sardines.	Unlimited....	82 short (211 x 300)– ¾ oblong (304 x 308 x 103)– (306 x 310 x 104)– 300 (300 x 407)– 1 oval (607 x 406 x 106).	.....	.....	.....	.....
Round and oval cans:						
Packed in brine.....	.....	.....	1.25 tin*....	1.25 tin*....	0.50 tin....	0.50 tin.
Packed in oil.....	.....	.....	1.25 tin*....	1.25 tin**....	0.50 tin....	CTB
Packed in mustard or tomato sauce.....	.....	.....	1.25 tin....	1.25 tin....	1.25 tin....	1.25 tin.*
Oblong cans:						
Packed in brine.....	.....	.....	1.25 tin*....	1.25 tin*....	1.25 tin....	0.50 tin.
Packed in oil.....	.....	.....	1.25 tin*....	1.25 tin**....	1.25 tin....	CTB
Packed in mustard or tomato sauce.....	.....	.....	1.25 tin....	1.25 tin....	1.25 tin....	1.25 tin.*
58. Salmon.....	Unlimited....	¾ flat (307 x 300.25) (307 x 201.25)–1 flat (401 x 210.5) (401 x 211)–1 tall (301 x 411).	1.25 tin....	1.25 tin*....	1.25 tin....	0.50 tin.
59. Shad.....	Unlimited....	300 (300 x 407)....	1.25 tin*....	1.25 tin*....	0.50 tin....	0.50 tin.
60. Shrimp.....	Unlimited....	1 picnic (211 x 400)– 5 (502 x 510).	1.25 tin*....	1.25 tin*....	0.50 tin....	0.50 tin.
61. Squid.....	Unlimited....	300 (300 x 407)....	1.25 tin*....	1.25 tin*....	0.50 tin....	0.50 tin.
62. Tuna, bonito, and yellowtail.....	Unlimited....	¾ tuna (307 x 113)– 1 tuna (401 x 205.5)–4 lb. tuna (603 x 406).	1.25 tin*....	1.25 tin*....	0.50 tin....	0.50 tin.
63. Turtle.....	Unlimited....	300 (300 x 407)....	1.25 tin*....	1.25 tin*....	0.50 tin....	0.50 tin.
DAIRY PRODUCTS						
64. Condensed milk, as defined by the Federal Security Administrator, Federal Register, July 2, 1940, § 18.525, page 2444 and § 18.530, page 2445, as amended, Federal Register, August 8, 1941, pages 3973 and 3974.	100% 1942....	14 oz.....	1.25 tin....	1.25 tin....	0.75 tin....	0.75 tin.
65. Evaporated milk, as defined by the Federal Security Administrator, Federal Register, July 2, 1940, § 18.520 page 2444.	Unlimited....	8 lb.....	1.25 tin....	1.25 tin....	0.75 tin....	0.75 tin.
	95% 1942	14½ oz.....	1.25 tin....	1.25 tin....	0.75 tin....	0.75 tin.
	pack of 14½ oz. size.					
	95% 1942	6 oz.....	1.25 tin....	1.25 tin....	0.75 tin....	0.75 tin.
	pack of 6 oz. size.					
66. Liquid modifications of milk, for human consumption only, including only milk treated or mixed with other edible substances; provided the packer packed the product in substantially the same form in 1942.	90% 1942....	14½ oz.....	1.25 tin....	1.25 tin....	0.75 tin....	0.75 tin.

**SCHEDULE II—FOOD CANS**

NOTE: Paragraph (2) and Items 7, 16-20 amended, and items 21-27 added, (baking powder, formerly item 18, deleted), July 17, 1943.

(1) Packing quotas specified in this Schedule II indicate permitted packs of the respective products listed, for all purposes except for the Army, Navy, Marine Corps, Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such Commission or Administration for use thereon), or for any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend Lease Act). While restrictions pertaining to can sizes and can materials are applicable to such cans, cans used for packing the respective products listed shall be in addition to the specified quotas, when delivered either (a) pursuant to a letter of intent approved by, or a contract or purchase order negotiated with or for, any of the foregoing agencies, or (b) to other persons pursuant to authorization by the Maritime Commission under Form PD-300. The word "none" indi-

cates that no cans shall be used for packing the applicable product except for the above-mentioned agencies. When determining a quota for packing a product listed in this Schedule II, cans packed during the base period (1942) for the above-mentioned agencies shall be excluded.

(2) (a) Until September 30, 1943, all persons manufacturing cans shall, to the greatest extent available, use 0.50 tinplate wherever the single asterisk appears in Columns (4) or (5), and chemically treated blackplate wherever the double asterisk appears. All persons using cans marked with the asterisk are hereby required to accept from the manufacturer making delivery, to the greatest extent available, cans made as specified of 0.50 tinplate wherever the single asterisk appears, and cans made as specified of chemically treated blackplate wherever the double asterisk appears. Wherever the double asterisk appears, to the extent that chemically treated blackplate is not available, 0.50

tinplate is to be used by manufacturers, and cans made therefrom accepted by users, to the greatest extent available, in preference to 1.25 tinplate.

On and after September 30, 1943, all persons manufacturing cans and all persons using cans for packing any products listed in this schedule, bearing the single asterisk in Columns (6) or (7), shall use 0.50 tinplate to the extent of not less than 50 per cent of the pack of each product packed after that date.

(b) On and after September 30, 1943, no person shall manufacture and no person shall use, for packing any products listed in this schedule, any cans made of materials except

as specified in Columns (6) and (7). However, the provisions of this subparagraph (b) shall not apply to cans which were or are made, from 1.25 tinplate, when the tinplate was either in process at the tin mill, in the inventory of the tin mill for the account of the can manufacturer, or in the inventory of the can manufacturer:

(i) On or before August 15, 1943 and the cans were produced specifically for items bearing either the single or double asterisk in Columns (4) or (5).

(ii) On or before September 30, 1943 and the cans were produced specifically for items which in Column (6) or (7) bear the single asterisk or specify 0.75 tinplate.

Product (1)	Packing Quota (2)	Can Sizes (3)	Can Materials, until September 30, 1943		Can Materials after September 30, 1943	
			Body (4)	Ends (5)	Body (6)	Ends (7)
MEATS AND MEAT PRODUCTS (Processed and in hermetically sealed cans)						
1. Bacon.....	None.....	24 oz..... 14 lb.....	1.25 tin*..... 1.25 tin.....	1.25 tin**..... 1.25 tin.....	0.50 tin..... 1.25 tin.....	CTB. {Btm. 0.50 tin. Top 1.24 tin.
2. Beef, veal, mutton, and pork (including tushonka); corned, roast, or boiled, and containing not less than 85 percent meat, by cooked weight. Cans with all seams soldered..... Cans with only side seams soldered.....	None.....	Any size..... Any size..... 10½ oz.....	1.25 tin..... 1.25 tin*..... 1.25 tin*.....	1.25 tin..... 1.25 tin**..... 1.25 tin**.....	1.25 tin..... 0.50 tin..... 0.50 tin.....	1.25 tin..... CTB. CTB.
3. Brains.....	100% 1943.....					
4. Meat products as follows:						
a. Chili con carne when packed without beans and containing not less than 50 percent meat, by uncooked weight, exclusive of added tallow.	(i).....	300 (300 x 407)	1.25 tin*.....	1.25 tin*.....	0.50 tin.....	0.50 tin.
b. Meat loaf, containing not less than 90 percent meat, by uncooked weight, and no added water. When packed as a chopped product, meat loaf may contain not more than 10 percent of the following ingredients: cereal, whole milk, eggs, and seasoning.	(i).....	7 oz.....	1.25 tin*.....	1.25 tin**.....	0.50 tin.....	CTB.
c. Meat spreads, including ham, tongue, liver, beef, and sandwich spreads. When packed as a spread, the chopped product shall contain not less than 65 percent meat, by cooked weight, with added cereal or other products. When packed as deviled ham or deviled tongue, the product shall consist of chopped meat without added cereal or other products.	(i).....	3 oz.....	1.25 tin*.....	1.25 tin**.....	0.50 tin.....	CTB.
d. Sausage in casings, containing no cereal or similar substance, and not to exceed 10 percent added water, by weight, except pork sausage, which may be prepared with not to exceed 3 percent added water by weight: Vienna sausage, pork sausage..... Sausage in oil, lard or rendered pork fat.....	(i)..... (i)..... (i).....	4 oz..... No. 5..... 24 oz.....	1.25 tin*..... 1.25 tin*..... 1.25 tin*.....	1.25 tin**..... 1.25 tin**..... 1.25 tin**.....	0.50 tin..... 0.50 tin..... 0.50 tin.....	CTB. CTB. CTB.
e. Bulk sausage meat, containing not to exceed 3½ percent cereal and not to exceed 3 percent added water, by weight.	(i).....	12 oz.....	1.25 tin*.....	1.25 tin**.....	0.50 tin.....	CTB.
f. Chopped luncheon meats, consisting of chopped, seasoned meat with not to exceed 3 percent added water, by weight.	(i).....	3½ oz.....	1.25 tin*.....	1.25 tin**.....	0.50 tin.....	CTB.
g. Potted meat, consisting of chopped meat or by-products of meat, without added cereal or similar substance, and labeled as a potted or deviled meat product.						
5. Tongue.....	50% 1943.....	6 oz.....	1.25 tin*.....	1.25 tin**.....	0.50 tin.....	CTB.
6. Turkey, boned, and chicken, boned.....	None.....	1 lb.....	1.25 tin*.....	1.25 tin**.....	0.50 tin.....	CTB.
MISCELLANEOUS FOODS						
7. Baby Foods: Consisting of food products of small particle size or in liquid or semi-liquid form made from the following ingredients: fruits, vegetables, meats, poultry products, dairy products, sugar, salt, or seasoning, yeast or yeast derivatives. Dried prunes may be included and frozen fruits and vegetables may be used. Potatoes and cereal products may be used only in combination with other permitted products, and only provided the combined potato and cereal content does not exceed 12 percent, by weight, of the total product. Pineapple may be repacked from No. 10 or larger cans.	125% 1943.....	202 BF (202 x 214).	1.50 tin.....	1.50 tin.....	1.50 tin.....	1.50 tin

\* 100% of total 1943 pack of meat products a, b, c, d, e, and g plus 75% of total 1943 pack of meat product f.



Product (1)	Packing Quota (2)	Can Sizes (3)	Can Materials, until September 30, 1943		Can Materials after September 30, 1943	
			Body (4)	Ends (5)	Body (6)	Ends (7)
MISCELLANEOUS FOODS—Continued						
Milk formulas and soybean milk liquid .....	100% 1942 .....	14½ oz. ....	1.25 tin. ....	1.25 tin. ....	0.75 tin. ....	0.75 tin.
Milk formulas, dry or powdered. ....	150% 1942 .....	1 lb. ....	0.50 tin. ....	CTB. ....	0.50 tin. ....	CTB.
No person shall pack any milk formulas unless he packed the product in substantially the same form in 1942.						
8. Dehydrated vegetables .....	None .....	10. ....	0.50 tin. ....	CTB. ....	0.50 tin. ....	CTB.
9. Grape juice and grape pulp .....	100% 1942 .....	15 gal. ....	0.50 tin. ....	0.50 tin. ....	0.50 tin. ....	0.50 tin.
10. Citrus pulp and citrus peel .....	100% 1942 .....	5 gal. reusable. ....	1.50 tin. ....	1.50 tin. ....	1.50 tin. ....	1.50 tin.
11. Honey .....	Unlimited. ....	5 gal. reusable. ....	1.25 tin. ....	1.25 tin. ....	1.25 tin. ....	1.25 tin.
12. Goat's milk .....	100% 1942 .....	60 lb. reusable. ....	1.25 tin. ....	1.25 tin. ....	1.25 tin. ....	1.25 tin.
13. Milk, skimmed, dry or powdered .....	100% 1942 .....	14½ oz. ....	1.25 tin. ....	1.25 tin. ....	0.75 tin. ....	0.75 tin.
14. Milk, whole, dry, or powdered .....	None .....	50 lb. ....	0.50 tin. ....	0.50 tin. ....	0.50 tin. ....	0.50 tin.
15. Special food products; limited to foods other than usual table foods. No person shall pack any special food product unless he packed the product in substantially the same form in 1942, and unless he obtains prior permission upon application to the War Production Board.	100% 1942 .....	11lb.-2½lb., 5lb. 25 lb.-50 lb. ....	0.50 tin. ....	0.50 tin** .....	0.50 tin. ....	CTB.
16. Liquid edible oils, including only animal, vegetable, olive, fish and other marine animal, and edible blends of such oils.	100% 1942 .....		0.50 tin. ....	0.50 tin. ....	0.50 tin. ....	0.50 tin.
17. Citrus concentrates .....	See product column .....					
18. Butter and oleomargarine .....						
19. Maple syrup, limited to syrup made by the evaporation of maple sap, containing not more than 35 percent water and weighing not less than 11 pounds to the gallon.	50% 1942 pack of size 5 gal. ....	5 gal. reusable. ....	1.25 tin. ....	1.25 tin. ....	1.25 tin. ....	1.25 tin.
20. Pectin, liquid only .....	Unlimited. ....	5 gal. reusable. ....	1.25 tin. ....	1.25 tin. ....	1.25 tin. ....	1.25 tin.
FISH AND SHELLFISH (For refrigerated shipment, fresh)						
21. Oysters, fresh-shucked July 1, 1943 to October 1, 1943 .....	100% of corresponding period 1942. ....	1 gal. (pint cans are permitted within quota limits for shipment into States which required delivery of oysters in tamper-proof consumer packages prior to 7-1-43). ....	CTB. ....	CTB. ....	CTB. ....	CTB.
October 1, 1943 to Dec. 31, 1943 .....	75% of corresponding period 1942. ....					
22. Clams, fresh-shucked July 1, 1943 to October 1, 1943 .....	100% of corresponding period 1942. ....	1 gal. ....	CTB. ....	CTB. ....	CTB. ....	CTB.
October 1, 1943 to Dec. 31, 1943 .....	75% of corresponding period 1942. ....					
23. Mussels, fresh-shucked: July 1, 1943 to October 1, 1943 .....	Unlimited. ....	1 gal. ....	CTB. ....	CTB. ....	CTB. ....	CTB.
October 1, 1943 to Dec. 31, 1943 .....	75% of total poundage shucked during this period. ....					
24. Fillets & steaks, fresh: July 1, 1943 to October 1, 1943 .....	100% of corresponding period of 1942. ....	20 lb. ....	CTB. ....	CTB. ....	CTB. ....	CTB.
October 1, 1943 to Dec. 31, 1943 .....	50% of corresponding period of 1942. ....					
25. Crabmeat, fresh-cooked: July 1, 1943 to October 1, 1943 .....	100% of corresponding period 1942. ....	1 lb. ....	CTB. ....	CTB. ....	CTB. ....	CTB.
October 1, 1943 to Dec. 31, 1943 .....	60% of corresponding period 1942. ....					
26. Lobster meat, fresh-cooked: July 1, 1943 to October 1, 1943 .....	100% of corresponding period 1942. ....	1 lb. ....	CTB. ....	CTB. ....	CTB. ....	CTB.
October 1, 1943 to Dec. 31, 1943 .....	60% of corresponding period 1942. ....					
27. Shrimp, fresh-cooked—to be packed in Alaska only.	Unlimited. ....	1 gal. ....	CTB. ....	CTB. ....	CTB. ....	CTB.

Editor's Note—Schedule III, applicable to non-food cans, is not reproduced.

## FEDERAL COURT INTERPRETS "AREA OF PRODUCTION" CONCERNING EXEMPTIONS FROM WAGE AND HOUR LAW

The United States Circuit Court of Appeals for the Fifth Circuit (Florida) has recently interpreted, in the case of *Holly Hill Fruit Products, Inc. v. Wilmar H. Edison*, (decided June 24, 1943), the term "area of production" contained in Section 13(a)(10) of the Fair Standards Act of 1938. This section of the Act provides that the wage and hour requirements shall not apply to any person employed within an "area of production," as defined by the Wage and Hour Administrator, who is engaged in handling, packing, or canning, among other activities, agricultural commodities for market.

The Florida case developed from the present regulation (Section 536.1 of Wage and Hour Regulations) which provides that the wage and hour provisions of the Fair Labor Standards Act do not apply to an employee if he performs operations on commodities coming from farms in the "general vicinity" of the canning plant and if the number of employees engaged in the operations does not exceed 10.

*Holly Hill Fruit Products, Inc.* was sued by its employees for wages, overtime, and statutory penalties which were claimed to be due on the grounds that the operations were not performed in an "area of production" and were therefore not exempt from the Act. The Company is a cooperative engaged in packing and canning of citrus fruit in Florida, and obtains nearly all of its products within ten miles of the canning establishment and all products were purchased within a radius of 25 miles of the canning plant.

The Court held that the facts of the case showed that all of the products came from the "general vicinity" of the plant and reiterated its prior holding in the case of *Fleming v. Farmers Peanut Co.*, 128 F(2d) 404, that the Administrator's regulation was invalid insofar as it based the definition of "area of production" upon the number of employees. Since the operations occurred within the "area of production," defined by the Administrator to be the "general vicinity," the Court held that the cooperative canning organization was not in violation of the Wage and Hour statute.

The most important aspect of the case is the establishment of the rule that "area of production" will be defined by the courts on the basis of the particular facts and will not be limited by attempting to apply the stringent geographical and mileage definition originally used by the Administrator under former regulations.

### WFA AND OPA ANNOUNCE FRUIT PRICING PROGRAM

(Concluded from page 7761)

free-stone peaches in California. Raw product increases of \$10 per ton over the 1942 price is designated for California free-stone peaches by WFA to establish prices for this fruit for processing at a level in line with the other fruits. The Government will purchase the entire pack of processed free-stone peaches.

In this program for the Pacific Coast States, OPA will permit the processor to adjust his 1942 ceiling to reflect the difference between his actual raw material cost in 1943 and the raw material cost used in computing his 1942 ceilings. In no case, however, may 1943 raw material costs be based on higher average prices than those specified herein for the Pacific Coast. These prices are the average of all grades and varieties for the particular fruits:

Fruits	Per ton
Cling-stone peaches .....	\$60
Free-stone peaches:	
Calif. ....	50
Ore. & Wash. ....	60
Pears:	
Calif. ....	65
Ore. & Wash. ....	75
Plums ....	55
Prunes, fresh ....	40

These average grower prices will be interpreted in terms of grades by representatives of the Food Distribution Administration in the Pacific Coast region in consultation with the State Agricultural War Boards. These prices, with the exception of free-stone peaches, are based on the legal minimum prices. In other States, OPA will establish maximum prices for these processed fruits which will reflect the legal minimum requirements for such States.

Adjustments for approved wage rate increases will be handled in the same manner as for processed vegetables. Such increases will not be applied to ceiling prices for civilian sales of processed peaches and pears but be handled in the same manner as the major vegetables—corn, snap beans, peas and tomatoes—under the program of the Commodity Credit Corporation.

OPA will soon establish maximum prices for fruits marketed in fresh channels. These prices will be established at levels in proper relationship to the prices used for computing maximum prices for processed fruits. With respect to some fruits, OPA will establish ceiling prices for sales to processors and ceiling prices may be established for sales of any of such fruits to processors, as the situation may require.

Following the fruit pricing announcement by one day, WFA halted on July

16 the interstate shipment of 1943 crop California cling-stone peaches.

The action was taken as a means of making the bulk of this year's crop available for canning, drying and freezing to meet the large military and civilian requirements for the processed fruit and was necessitated by the short southern peach crop this season and the large demand at present for fresh peaches. No restrictions are imposed on shipment of free-stone varieties.

The limitations on shipments are contained in Food Distribution Order No. 64, which will be administered by the FDA Regional Office at San Francisco.

Contemporaneous with the halting of interstate shipments of cling peaches, WFA removed the grade and size restrictions on pears grown in the Pacific Coast States. The restrictions were contained in a marketing agreement regulating the interstate shipment of fresh pears.

### Use of War Prisoners

The Association has been in constant touch with the War Manpower Commission and other agencies engaged in working out the details covering the use of war prisoners to assist in work they will be permitted by the War Department to do in and around canning plants.

Indications are that final regulations governing the use of this additional manpower help will be made available within the next few days. This information will be passed on to the industry as soon as it is released.

### Use of Tung Oil Restricted

The War Food Administration and the War Production Board have issued orders reducing the quantity of critical tung oil to be made available for the next 12 months in manufacture of metal food containers. Castor and treated linseed oils will be used as replacements.

### Index of LETTER

With this week's INFORMATION LETTER is included a four-page index of the material published in the LETTER during the first six months of 1943. This index is prepared primarily for the increasing number of canners who maintain permanent files of the INFORMATION LETTER and who find that many of the questions they would otherwise have to handle through correspondence can be answered by consulting these files.